

**THE WOODLANDS TOWNSHIP  
BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
SEPTEMBER 22, 2010  
MINUTES**

**THE STATE OF TEXAS   §  
COUNTIES OF HARRIS & MONTGOMERY   §**

The Board of Directors of The Woodlands Township met in regular session, open to the public, on September 22, 2010, posted to begin at 6:00 p.m. The meeting was held at the office of The Woodlands Township, Service Center, 2201 Lake Woodlands Drive, The Woodlands, Texas, within the boundaries of The Woodlands Township.

**DIRECTORS PRESENT:** Chairman Bruce Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter, Treasurer Ed Robb, Director Nelda Blair, Director Tom Campbell, and Director Peggy Hausman

**DIRECTORS ABSENT:** None

**STAFF/ADVISORS:** Don Norrell, President/General Manager, John Powers, Assistant General Manager Community Services, Monique Sharp, Assistant General Manager of Finance & Administration, Nick Wolda, Director of Community Relations/CVB President, Miles McKinney, Legislative Affairs & Transportation Manager, Karen Dempsey, Management Analyst, Mary Connell, Community Relations Manager, Mike Page and Bret Strong, Legal Counsel

**CALL TO ORDER:**

Chairman Tough called the meeting to order at 6:00 p.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 2201 Lake Woodlands Drive, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

**CONSIDER AND ACT UPON ADOPTION OF MEETING AGENDA:**

Chairman Tough called for a motion and second to adopt the meeting agenda.

**MOTION:** Motion by Treasurer Robb; second by Director Campbell

**VOTE:**       **Ayes:** Chairman Tough  
                    Vice Chairman Matthews

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Secretary Hunter  
Treasurer Robb  
Director Blair  
Director Campbell  
Director Hausman

Nays: None

Absent: None

**ACTION:** Motion passed unanimously.

**RECOGNIZE PUBLIC OFFICIALS:**

There were no public officials.

**PUBLIC COMMENT:**

The following members of the public addressed the Board:

- Janette Groves-property for sale (25 and 26 Nursery Road)
- Everett Ison-Flea Market service agreement

The Public Comment Roster is attached hereto as Exhibit "A".

**RECEIVE AND CONSIDER THE LAW ENFORCEMENT REPORT FROM CAPTAIN EASON WITH THE MONTGOMERY COUNTY SHERIFF'S OFFICE:**

Captain Eason reported on a chain of emails initiated by a resident who was unhappy about how an officer handled an incident report. Captain Eason commented on this incident in order to inform residents that personnel issues should be reported to the sheriff's department so that the officer's supervisor can follow-up and take appropriate action as deemed necessary.

**RECEIVE AND CONSIDER REPORTS FROM VILLAGE ASSOCIATION REPRESENTATIVES:**

Reports were provided by the following Village Association (VA) representatives:

**Alden Bridge VA**-Steve Leakey reported that Sargeant Jenkins attended the meeting and presented a comprehensive report; Don Norrell gave a presentation on economic development; Ann Snyder and Judge Sadler will be guest speakers at future meetings; Directors Campbell and Hunter attended the monthly meeting; annual audit has been completed; a couple of Board members were removed due to their absence at scheduled meetings

**Grogan's Mill VA**-Deborah Sargeant reported that the fall Farmers' Market will start October 2, 2010 and continue through December 12, 2010; the Village Association now has a facebook page that lists events

**Panther Creek VA**-Everett Ison reported that the baseball outing was a great success; Flea Market will be held November 6, 2010 with ticket sales beginning October 16, 2010; Joel Deretchin will be the guest speaker at the October meeting

**Indian Springs VA**-Lloyd Matthews reported that Taste of the Village will take place on October 16, 2010

**Sterling Ridge VA**-Philip Givens submitted an email report to the Board

**Cochran's Crossing VA**-No report

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**College Park VA**-No report

**Creeside Park VA**-No report

**The Village Association Representatives' Sign In Sheet is attached hereto as Exhibit "B".**

**CONSIDER AND ACT UPON THE CONSENT AGENDA:**

(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)

**CONSENT AGENDA ITEMS:**

- (a) Approve the minutes of the August 12, 2010 Special Board Meeting, August 12, 2010 Public Hearing, August 17, 2010 Public Hearing, August 19, 2010 Budget Workshop, August 25, 2010 Regular Board Meeting, and August 31, 2010 Special Board Meeting of the Board of Directors of The Woodlands Township;
- (b) Approve a proclamation in support of National Night Out;
- (c) Approve a proclamation in support of International Walk to School month;
- (d) Award bid to Southeast Texas Trees for tree removal services;
- (e) Approve the Computer Aided Dispatch(CAD) Interlocal Agreement between Montgomery County Hospital District, The Woodlands Township and The Woodlands Fire Department;
- (f) Approve a service agreement with The Woodlands GREEN;
- (g) Approve a revision of the 2010 Capital Projects list for new pathways and streetscape in Town Center;
- (h) Approve the Worker's Compensation Insurance renewal policy;
- (i) Concur with the selected projects to be funded under the Regional Participation Agreement between The Woodlands and the City of Houston

Chairman Tough called for a motion and second to adopt the Consent Agenda.

**MOTION:** Motion by Vice Chairman Matthews; second by Secretary Hunter

**VOTE:**       **Ayes:** Chairman Tough  
                  Vice Chairman Matthews  
                  Secretary Hunter  
                  Treasurer Robb  
                  Director Blair  
                  Director Campbell  
                  Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**Executive Summaries/supporting materials and Proclamations for Consent Agenda items are attached hereto collectively as Exhibit "C".**

**BRIEFINGS:**

**Receive a presentation from Gary Louie with the YMCA regarding Creekside Outdoor Adventure Center;**

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Gary Louie, South Montgomery County YMCA Group Development Director provided opening comments and then called on Mark Cochran, Center Executive Director, who presented a PowerPoint presentation on Creekside Outdoor Adventure Center. Testimonials were also given by a day camp participant and parent of the camper. No action was required on this item.

**Receive a report from the South County Woodlands Economic Development Partnership;**

Gil Staley, Chief Executive Officer of the Economic Development Partnership, presented the 2009/2010 Annual Report. Some of the topics highlighted during Mr. Staley's presentation included: organizational accomplishments, business recruitment, and business retention. No action was required on this item.

**A copy of the 2009/2010 Economic Development Partnership Annual Report is attached hereto as Exhibit "D".**

**Receive a presentation from Waste Management regarding additional recycling materials that will be accepted;**

Lynne Aldrich, Environmental Services Manager for The Woodlands Township, provided opening comments and then called on Terry Woodson, Marketing Manager for Waste Management who presented a PowerPoint presentation. Ms. Woodson spoke at length about the "Think Green" Plan and "Think Green" Rewards Program which encourage individuals to reduce, reuse, and recycle as much as possible.

**Receive a presentation regarding National Night Out;**

John Raybon, Neighborhood Services Manager for The Woodlands Township, gave a PowerPoint presentation on the National Night Out Program. The event is planned for Saturday, October 2, 2010 at Northshore Park from 1:00 to 5:00 p.m. Nearly forty agencies including the Texas Rangers, Homeland Security and FBI will take part in the community wide event. The official date of National Night Out in Texas is scheduled for Tuesday, October 5, 2010. Residents are encouraged to gather between 5:30 and 8:00 p.m. on their streets or in nearby parks to get to know their neighbors.

**Receive a presentation regarding International Walk to School month;**

Lynne Aldrich used a PowerPoint presentation during her overview of this program. International Walk to School month is held in October and began as a pilot program in 2002 at David Elementary School in The Woodlands. Since that time, the program has expanded and in 2010 ten schools currently participate in the Walk to School Program. Ms. Aldrich highlighted some of the benefits of walking such as: it reduces traffic congestion and pollution, increases physical activity and increases neighbor to neighbor interaction.

**REGULAR AGENDA:**

**Consider and act upon the Financial Report;**

Monique Sharp presented the Financial Report and referred the Board to handout material containing the General Purpose Financial Statements as of and for the eight months ending August 31, 2010. After a review of the Combined Financial Statements and Monthly Investment Report, a report on the General Fund Budget vs. Actual was presented. Ms. Sharp then reported on the Township's sales tax collections, hotel occupancy tax collections, and property tax collections. Following Ms. Sharp's presentation, Chairman Tough called for a motion and second to approve the Financial Report.

**MOTION:** Motion by Secretary Hunter; second by Director Campbell

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**VOTE:**       **Ayes:** Chairman Tough  
                      Vice Chairman Matthews  
                      Secretary Hunter  
                      Treasurer Robb  
                      Director Blair  
                      Director Campbell  
                      Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**The Financial Report is attached hereto as Exhibit "E".**

**Consider and act upon a recommendation from the Governance Committee regarding the committee system of The Woodlands Township;**

Chairman Tough called on Director Blair, Chair of the Governance Committee to review the recommendations regarding the committee system of The Woodlands Township. Ms. Blair brought forth the following recommendations from the Governance Committee:

- Eliminate the Committee on Governance; Board process and policy issues will be discussed as a "committee of the whole"; ad hoc committee may be established if needed
- Eliminate the Public Facilities Administration Committee; Funding policy issues will be discussed as a "committee of the whole"; ad hoc committee may be established if needed
- Change the name of the Project Planning and Development Committee to Projects Research Committee; change the scope of this committee to focus on economic development
- Change the scope of the Investment Committee to focus on annual review of investment policies rather than reviewing actual investments; Investments to be managed by staff with reporting to the full Board in the financial reports
- Audit Committee to remain intact as it serves a specific legal purpose
- Ad Hoc Water Taxi Committee to continue until completion of its stated purpose
- Staff to develop an annual workshop for the Board to focus on policies, ethics, fiduciary duties and legalities

Following Ms. Blair's presentation, Chairman Tough called for discussion. Secretary Hunter asked if the Chair or Board will make appointments to future Ad Hoc Committees, but no definitive answer was provided at this time. Following discussion Chairman Tough called for a motion and second to adopt the recommendations above from the Committee on Governance.

**MOTION:** Motion by Director Blair; second by Vice Chairman Matthews.

Secretary Hunter offered a friendly amendment to eliminate the Ad Hoc Water Taxi Committee, but it was not accepted by Director Blair. Discussion followed and then Chairman Tough called for a vote on the original motion made by Director Blair.

**VOTE:**       **Ayes:** Chairman Tough  
                      Vice Chairman Matthews  
                      Secretary Hunter  
                      Treasurer Robb  
                      Director Blair  
                      Director Campbell  
                      Director Hausman

**Nays:** None

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**Absent:** None

**ACTION:** Motion passed unanimously.

**MOTION:** Secretary Hunter then moved to eliminate the Ad Hoc Water Taxi Committee. The motion was seconded by Director Hausman. Discussion followed with Director Hausman requesting that Board members not on the Ad Hoc Water Taxi Committee receive an Executive Summary or draft contracts before the contracts are in final form. Following discussion, Chairman Tough called for a vote on the motion.

**VOTE:**       **Ayes:** Secretary Hunter  
                    Director Campbell  
                    Director Hausman  
             **Nays:** Chairman Tough  
                    Vice Chairman Matthews  
                    Treasurer Robb  
                    Director Blair

**Absent:** None

**ACTION:** Motion failed.

Next, Director Campbell asked if there was a "conflict of interest" having the Board Treasurer serve on the Audit Committee. Mike Page explained that it is not a requirement that the Treasurer sit on the Audit Committee and he did not feel it was a conflict of interest. However, it is a requirement that the Treasurer serve on the Investment Committee. This issue will be put on a future workshop agenda for further discussion.

**The Executive Summary for this item is attached hereto as Exhibit "F".**

**Consider and act upon the liability and property insurance quotes for certain operations and assets of The Woodlands Township;**

Chairman Tough called on Monique Sharp to present this item. Ms. Sharp provided a summary of this item as outlined in an Executive Summary. Following, Ms. Sharp's presentation, the Chair called for a motion and second to authorize the President/General Manager to execute property, general liability, and public officials' errors and omissions insurance contracts in the total amount of \$122,679.

**MOTION:** Motion by Director Blair; second by Director Campbell

**VOTE:**       **Ayes:** Chairman Tough  
                    Vice Chairman Matthews  
                    Secretary Hunter  
                    Treasurer Robb  
                    Director Blair  
                    Director Campbell  
                    Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**The Executive Summary for this item is attached hereto as Exhibit "G".**

**Consider and act upon approval of a service agreement with the Panther Creek Village Association;**

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John Powers presented this item and reviewed changes made to the agreement. Following Mr. Powers' presentation, the Chair called for a motion and second to approve the Service Agreement with the Panther Creek Village Association and authorize the President/General Manager to execute the agreement.

**MOTION:** Motion by Director Blair; second by Director Campbell

**VOTE:**       **Ayes:** Chairman Tough  
                  Vice Chairman Matthews  
                  Secretary Hunter  
                  Treasurer Robb  
                  Director Blair  
                  Director Campbell  
                  Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**The Executive Summary for this item is attached hereto as Exhibit "H".**

**Consider and act upon a request from Director Robb regarding consideration of a sister city program;**

Chairman Tough called on Karen Dempsey to provide background information on this item as outlined in an Executive Summary. Following Ms. Dempsey's presentation, the following motion was provided.

**MOTION:** Treasurer Robb moved to ask the Chair to appoint an Ad Hoc Committee to study the sister city program and bring forth recommendations to the Board for consideration; second by Vice Chairman Matthews. Discussion followed and then Director Hausman offered to amend the motion and ask President Norrell to see if other entities such as the Chamber of Commerce, Economic Development Partnership, or Convention & Visitors Bureau could explore the feasibility of The Woodlands Township's interest in having a sister city program; the motion was seconded by Director Blair. Further discussion followed. Treasurer Robb/Vice Chairman Matthews withdrew the original motion. Director Hausman then moved to table this item until November or December at such time President Norrell will provide the Board with information on his findings; the motion was seconded by Secretary Hunter. The Chair then called for a vote.

**VOTE:**       **Ayes:** Chairman Tough  
                  Vice Chairman Matthews  
                  Secretary Hunter  
                  Treasurer Robb  
                  Director Blair  
                  Director Campbell  
                  Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**The Executive Summary for this item is attached hereto as Exhibit "I".**

**CLOSED MEETING (if applicable)**

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**Recess at 8:15 p.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney concerning pending litigation pursuant to §551.071, Texas Government Code;**

**Reconvene in Public Session at 8:41 p.m.**

Chairman Tough announced that it would be necessary to take action on matters discussed in Executive Session.

**Consider and act upon authorizing the President/General Manager to execute a lease agreement and other ancillary documents and agreements regarding Township facilities;**

Chairman Tough called for a motion and second to authorize the President/General Manager to execute a lease agreement and other ancillary documents and agreements regarding Township facilities.

**MOTION:** Motion by Vice Chairman Matthews; second by Director Blair

**VOTE:**       **Ayes:** Chairman Tough  
                    Vice Chairman Matthews  
                    Secretary Hunter  
                    Treasurer Robb  
                    Director Blair  
                    Director Campbell  
                    Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**DISCUSS FUTURE AGENDA/ANNOUNCEMENTS:**

**Consideration of items to be placed on the agenda for next month's meeting;**

- Treasurer Robb asked that the Board be provided with a projection of meeting dates for 2011 before the last meeting of the year.
- Director Campbell asked that the Board discuss changes to policy pertaining to Public Comment on agenda items.

**Board announcements; and**

President Norrell provided the Board with an update on the bond refunding results.

**Handout material on this item is attached hereto as Exhibit "J".**

As there was no further business to discuss, Chairman Tough called for a motion and second to adjourn the meeting at 8:45 p.m.

**MOTION:** Motion by Secretary Hunter; second by Director Campbell

**VOTE:**       **Ayes:** Chairman Tough  
                    Vice Chairman Matthews  
                    Secretary Hunter  
                    Treasurer Robb

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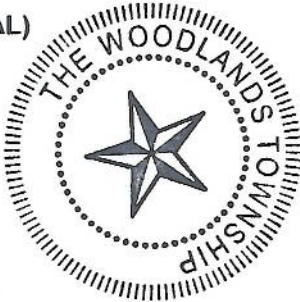
Director Blair  
Director Campbell  
Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

(SEAL)



A handwritten signature in blue ink, which appears to read "Claude Hunter", is written over a horizontal line.

**Claude Hunter**  
**Secretary, Board of Directors**

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**EXHIBIT OMISSIONS\***

**EXHIBIT "A"**

**EXHIBIT "B"**

**EXHIBIT "C"**

**EXHIBIT "D"**

**EXHIBIT "E"**

**EXHIBIT "F"**

**EXHIBIT "G"**

**EXHIBIT "H"**

**EXHIBIT "I"**

**EXHIBIT "J"**

**\*To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**